

(c) Demolition of war memorials erected on foreign soils and other functions of Commission

The Commission is authorized to take necessary measures to demolish any war memorial erected on foreign soil by an American citizen, a State, a political subdivision of a State, any other non-Federal governmental agency, foreign agency, or private association and to dispose of the site of such memorial in such manner as it deems proper, if—

- (1) the appropriate foreign authorities agree to such demolition; and
- (2) the sponsors of the memorial consent to such demolition; or
- (3) the memorial has fallen into disrepair and a reasonable effort on the part of the Commission has failed—
 - (A) to persuade the sponsors to maintain the memorial at a standard acceptable to the Commission, or
 - (B) to locate the sponsors.

(d) “Sponsors” defined

As used in this section, the term “sponsors” includes the legal successors to the sponsor.

(Mar. 4, 1923, ch. 283, §5, formerly §4, 42 Stat. 1510; June 26, 1946, ch. 502, 60 Stat. 318; renumbered §5, July 25, 1956, ch. 721, §2(b), 70 Stat. 640; Jan. 2, 1974, Pub. L. 93-244, 87 Stat. 1070.)

REFERENCES IN TEXT

The effective date of this subsection, referred to in subsec. (b)(1), means the effective date of Pub. L. 93-244, which was approved Jan. 2, 1974.

AMENDMENTS

1974—Pub. L. 93-244 designated existing provisions as subsec. (a) and added subsecs. (b) to (d).

1946—Act of June 26, 1946, amended section generally. Former provisions of this section are now covered by section 127 of this title.

MAINTENANCE AND REPAIR OF PACIFIC BATTLE MONUMENTS

Pub. L. 103-160, div. A, title III, §369, Nov. 30, 1993, 107 Stat. 1634, provided that:

“(a) **AUTHORITY.**—The Commandant of the Marine Corps may provide necessary minor maintenance and repairs to the Pacific battle monuments until such time as the Secretary of the American Battle Monuments Commission and the Commandant of the Marine Corps agree that the repair and maintenance will be performed by the American Battle Monuments Commission.

“(b) **FUNDING.**—Of the amounts authorized to be appropriated to the Marine Corps for operation and maintenance in a fiscal year, not more than \$15,000 may be made available to repair and maintain Pacific battle monuments, except that of the amounts available to the Marine Corps for operation and maintenance in fiscal year 1994, \$150,000 may be made available to repair and relocate a monument located on Iwo Jima commemorating the heroic efforts of United States military personnel during World War II.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 121, 127, 128, 138a, 138b of this title.

§ 125a. Erection of works in National Memorial Cemetery of the Pacific

The Commission is authorized to erect such works of architecture and art in the National Memorial Cemetery of the Pacific as may be de-

termined by the Commission with the consent of the Secretary of the Army.

(June 24, 1954, ch. 359, title I, §101, 68 Stat. 275.)

CODIFICATION

Section was not repeated in any subsequent appropriation act, which made appropriations for the American Battle Monuments Commission.

The proviso that the Commission may reimburse other Government agencies, including the Armed Forces, for salary, pay, and allowances of personnel assigned to it, was omitted in view of section 122a of this title.

§ 125b. Pacific War Memorial and other historical and memorial sites on Corregidor in Republic of the Philippines

(a) Operation by ABMC

Subject to subsection (b) of this section and to the agreement referred to in such subsection, the American Battle Monuments Commission shall restore, operate, and maintain the Pacific War Memorial and other historical and memorial sites on Corregidor in the Republic of the Philippines.

(b) Condition

The Commission may carry out this section only after an agreement has been entered into between the Republic of the Philippines and the United States with respect to the restoration, operation, and maintenance of the Memorial and other historical and memorial sites referred to in subsection (a) of this section.

(c) Personnel

The Commission may employ personnel as may be necessary to carry out this section.

(d) Use of other agencies

Departments, agencies, and other instrumentalities of the United States are authorized to assist the Commission, on a reimbursable basis, in carrying out this section.

(e) Funding

The American Battle Monuments Commission shall carry out this section with private funds except to the extent funds are appropriated pursuant to subsection (h) of this section.

(f) Authority to solicit funds

For the purpose of carrying out this section, the Commission may solicit and accept private contributions and shall deposit such contributions in the fund established by subsection (g) of this section.

(g) Fund

(1) There is hereby established in the Treasury a fund which shall be available to the American Battle Monuments Commission only for carrying out this section. The fund shall consist of—

(A) amounts deposited into, and interest and proceeds credited to, the fund under paragraph (2); and

(B) obligations obtained under paragraph (3).

(2) The Chairman of the Commission shall deposit into the fund the amounts that are accepted under subsection (f) of this section. The Secretary of the Treasury shall credit to the fund the interest on, and the proceeds from sale or redemption of, obligations held in the fund.